



PUBLIC NOTICE

Federal Communications Commission
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DA 16-367
April 6, 2016

INTERNATIONAL BUREAU SEEKS COMMENT ON IMPLEMENTATION OF SECTION 25.281(b) TRANSMITTER IDENTIFICATION REQUIREMENTS FOR VIDEO UPLINK TRANSMISSIONS

IB Docket No. 12-267

Comment Date: [30 days after publication in the Federal Register]
Reply Comment Date: [45 days after publication in the Federal Register]

By this Public Notice, we seek comment on the appropriate schedule for implementing carrier identification requirements for digital video uplink transmissions, as adopted by the Commission in August 2013.

Background. Since 1991, the Commission has required satellite uplink transmissions carrying “broadband” video information to include a signal identifying the source of the transmission.¹ This signal, produced by an Automatic Transmitter Identification System (ATIS), allows satellite operators that may be receiving interference from the video transmission to more quickly identify and address the source of interference.

In August 2013, the Commission updated the ATIS requirement in Section 25.281 to better accommodate digitally modulated video transmissions.² Specifically, for digital video uplinks from temporary-fixed earth stations, the Commission replaced the requirement to transmit a 7.1 megahertz subcarrier signal with a requirement to include a spread-spectrum ATIS message conforming to a modern industry standard.³

The record in the 2013 proceeding indicated that the new ATIS requirement for digital video could be accommodated by replacing the equipment with new facilities incorporating an embedded modulator or upgrading existing earth station equipment with an external modulator.⁴ Based on this record, the Commission adopted a two-year grace period for operators to bring their equipment into

¹ 47 CFR § 25.281; *An Automatic Transmitter Identification System for Radio Transmitting Equipment*, First Report and Order, 5 FCC Rcd 3256, 3258, paras. 24-25 (1990).

² *Comprehensive Review of Licensing and Operating Rules for Satellite Services*, Report and Order, 28 FCC Rcd 12403, 12466-70, paras. 208-220 (2013) (*Part 25 Order*), https://apps.fcc.gov/edocs_public/attachmatch/FCC-13-111A1_Rcd.pdf.

³ *Id.* at 12468-69, para. 213; 47 CFR § 25.281(b).

⁴ Comtech EF Data Corporation (Comtech) Comments, IB Docket No. 12-267, at 12 (“[T]he technology to deploy the spread spectrum Carrier ID is, for all practical purposes, already commercially available both in the form of external modulators and of embedded modulators[.]”), 13 n.25, Technical Appx. (Jan. 14, 2013), <http://apps.fcc.gov/ecfs/document/view?id=7022104481> (Comtech Comments).

compliance with the new ATIS rule in Section 25.281(b).⁵ The Commission concluded that two years was a sufficient implementation period, and declined a proposed five-year phase-in schedule, because it was not requiring the ATIS to be embedded and therefore not requiring existing facilities to be replaced.⁶

Recent information from affected earth station operators, and independent staff market surveillance, indicate that suitable external modulators have not become widely available.⁷ Many earth station operators would therefore be unable to retro-fit their current transmitting equipment in order to comply with Section 25.281(b), and instead would need to replace the equipment at considerably greater expense than anticipated when the rule was adopted.

Temporary waiver Order. On March 4, 2016, we issued a waiver of Section 25.281(b) for a period of one year, beginning on September 3, 2016, the date for compliance with the new requirement.⁸ The waiver was adopted to allow additional time for comment and development of an updated record on the appropriate implementation schedule for the new ATIS requirement.⁹

Comment sought. We now seek comment on the appropriate timeframe for implementation of the carrier identification requirement for digital video transmissions.¹⁰ In particular, we invite comment on the costs to both earth station operators and space station operators of further delaying the effective date of the requirement. We specifically request that commenters provide supporting materials such as technical documentation and price quotations for equipment compliant with the carrier identification requirement.

Interested parties may file comments and reply comments in IB Docket No. 12-267 on or before the dates indicated on the first page of this document. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS). See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

⁵ *Part 25 Order*, 28 FCC Rcd at 12470, para. 220. The two-year grace period began on the effective date of the new rule, which was September 3, 2014. *International Bureau Announces the Effective Date of Rules Adopted in the Part 25 Order*, Public Notice, 29 FCC Rcd 10440 (IB 2014), https://apps.fcc.gov/edocs_public/attachmatch/DA-14-1270A1_Rcd.pdf.

⁶ *Part 25 Order*, 28 FCC Rcd at 12470, paras. 219-20. The five-year implementation schedule was proposed to accommodate an embedding requirement. Comtech Comments at 13.

⁷ See, e.g., Letter from Tom Graves, U.S. House of Representatives, to Mike Dabbs, Director, Office of Legislative Affairs, FCC, IB Docket No. 12-267 (Dec. 3, 2015), <http://apps.fcc.gov/ecfs/comment/view?id=60001495761>; see also Letter from Mindel De La Torre, Chief, International Bureau, FCC, to Tom Graves, U.S. House of Representatives, IB Docket No. 12-267 (Jan. 13, 2016), <http://apps.fcc.gov/ecfs/comment/view?id=60001495749>.

⁸ Section 25.281(b), as codified in the Code of Federal Regulations, specifies a date of June 1, 2016. However, this date does not reflect the Commission's intent of providing a two-year grace period following the effective date of the new rule, which became effective September 3, 2014. The date as specified in the Code of Federal Regulations will be corrected shortly, to September 3, 2016.

⁹ *Temporary Waiver of Section 25.281(b) Transmitter Identification Requirements for Video Uplink Transmissions*, Order, DA 16-222 (IB 2016), https://apps.fcc.gov/edocs_public/attachmatch/DA-16-222A1.pdf.

¹⁰ We note that the World Broadcasting Unions have resolved that the ATIS (Carrier ID) requirement be implemented by no later than January 1, 2018. World Broadcasting Unions, International Satellite Operations Group, *Carrier ID Resolutions*, [http://www.worldbroadcastingunions.org/wbuarea/library/docs/isog/WBU-ISOG%20Carrier%20ID%20Resolutions%20\(Final\)%20\(2\).pdf](http://www.worldbroadcastingunions.org/wbuarea/library/docs/isog/WBU-ISOG%20Carrier%20ID%20Resolutions%20(Final)%20(2).pdf).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://apps.fcc.gov/ecfs/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (TTY).

Documents in **IB Docket No. 12-267** are available for public inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th St. SW, Room CY-A257, Washington, DC 20554.

Ex parte status. This matter will be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.¹¹ Persons making *ex parte* presentations must comply with Section 1.1206(b) of the Commission's rules.¹²

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¹¹ 47 CFR § 1.1200 *et seq.*

¹² 47 CFR § 1.1206(b).